

MAINE STATE LEGISLATURE

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L.D. 820

(Filing No. H-417)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
112TH LEGISLATURE
FIRST REGULAR SESSION

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HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A"
to S.P. 332, L.D. 820, Bill, "AN ACT to Establish
Age 21 Years as the Legal Age to Purchase or Consume
Alcoholic Beverages and to Deter Drinking and Driving
by Minors."

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Amend the amendment by inserting before the 2nd
paragraph before the emergency clause the following:

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'Further amend the bill by inserting after sec-
tion 3 the following:

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Sec. 4. 28 MRSA §751-A, as amended by PL 1985,
c. 133, §1, is further amended to read:

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§751-A. Payment for sales in retail stores

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For the purpose of receiving payment at the
check-out counters for the sale of malt liquor or ta-
ble wine in retail stores, the age of the employee
receiving the payment shall not be under 17 years of
age, ~~provided that in any event an~~ An employee who
is of legal drinking age as provided in this Title or
older ~~is must be~~ present in the retail store in a su-
pervisory capacity when the store is open.

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Sec. 5. 28 MRSA §852, first ¶, as amended by PL
1985, c. 133, §2, is further amended to read:

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No licensee for the sale of liquor to be consumed
or licensed premises, ~~except in Class A restaurants,~~
Class A taverns, clubs and hotel dining rooms, may
employ any person under the legal drinking age as
provided in this Title minor in the direct handling
or selling of liquor on the premises where the liquor
is sold. ~~No licensee for the sale of liquor to be~~

1 consumed on the licensed premises of Class A restau-
2 rants, Class A taverns, clubs and hotel dining rooms
3 may employ any person under the age of 17 years in
4 the direct handling or selling of liquor on the
5 premises where the liquor is sold, provided that in
6 any event, unless an employee who is of legal drink-
7 ing age as provided in this Title or older is present
8 in a supervisory capacity.'

9 Further amend the amendment in the 2nd paragraph
10 before the emergency clause, in the last line (page
11 3, line 19 in amendment) by striking out the follow-
12 ing: "June 1, 1985" and inserting in its place the
13 following: 'July 1, 1985'

14 Further amend the amendment by inserting before
15 the first paragraph before the emergency clause the
16 following:

17 'Further amend the bill by renumbering the sec-
18 tions to read consecutively.'

19 Further amend the amendment by striking out all
20 of the emergency clause and inserting in its place
21 the following:

22 'Emergency clause. In view of the emergency
23 cited in the preamble, this Act shall take effect Ju-
24 ly 1, 1985, except for sections 4 and 5 which shall
25 become effective 90 days following adjournment.'

26 STATEMENT OF FACT

27 This amendment clarifies that persons who are not
28 yet old enough to drink may not sell or receive pay-
29 ment for liquor in retail stores. An employee who is
30 of at least legal drinking age must be present in the
31 retail store in a supervisory capacity at all times.

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 332,
L.D. 820

1 This amendment also prohibits all on-premise con-
2 sumption licensees from hiring minors in the direct
3 handling and selling of liquor on the licensed
4 premises, except when an employee of at least legal
5 drinking age is present in a supervisory capacity.

6 This amendment is necessary because a large pro-
7 portion of liquor sales to minors are made by employ-
8 ees who are minors. It is inconsistent to allow a
9 person who may not drink the alcohol to sell it.
10 This will eliminate the opportunity for peer pressure
11 to force a violation of the law and contribute to
12 underage intoxication.

13 This amendment changes the effective date to as
14 soon as reasonably possible: July 1, 1985. This
15 will eliminate much "border-hopping," and potential
16 for drunk-driving, by 20-year-olds in Massachusetts
17 and New Hampshire who may no longer legally buy li-
18 quor in their states as of June 1, 1985, while show-
19 ing this State's respect for the laws and concerns of
20 New Hampshire and Massachusetts.

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Filed by Rep. Reeves of Pittston
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